

**BAY COUNTY ELECTION COMMISSION**  
**JANUARY 16, 2009**

THE BAY COUNTY ELECTION COMMISSION MET ON FRIDAY, JANUARY 16, 2009 IN THE OFFICE OF THE BAY COUNTY CLERK. THE MEETING WAS CALLED TO ORDER AT 8:30 A.M. WITH THE FOLLOWING MEMBERS PRESENT.

ROLL CALL:           RICHARD BRZEZINSKI, COUNTY TREASURER  
                          CYNTHIA A. LUCZAK, BAY COUNTY CLERK  
                          KAREN TIGHE, PROBATE JUDGE/CHAIRPERSON

THE MEETING WAS CALLED FOR THE PURPOSE OF AUTHORIZING THE CLERK TO PROCEED WITH THE 2009 ELECTION FUNCTIONS.

**MOTION 1:** TREASURER BRZEZINSKI MOVED THAT THE CLERK SHALL BE AUTHORIZED TO PROCEED WITH THE NECESSARY ELECTION FUNCTIONS/EXPENDITURES FOR THE YEAR OF 2009. JUDGE TIGHE SUPPORTED THE MOTION AS PASSED BY VOTE OF 3 YEAS, 0 NAYS. SEE SIGNED RESOLUTION OF THE BOARD AS PART OF THESE OFFICIAL PROCEEDINGS.

CLERK LUCZAK EXPLAINED THAT MEETINGS WERE TO BE HELD ON JANUARY 22<sup>ND</sup> AND 23<sup>RD</sup>, 2009 FOR THE PURPOSE OF ENTERING INTO ELECTION CONSOLIDATION PLANS WITH THE RESPECTIVE SCHOOL DISTRICTS, BAY-ARENAC ISD AND DELTA COLLEGE, FOR A TWO YEAR PERIOD 2009-2011.

IN ADDITION, THE PINCONNING AREA SCHOOL DISTRICT HAD CHANGED THEIR ELECTION DATE FROM MAY EVERY YEAR TO NOVEMBER EVEN YEARS BY SCHOOL BOARD RESOLUTION AS PASSED DECEMBER 2008. THE CLERK HELD DISCUSSED THE POSSIBLE CHANGE OF ELECTION DATES WITH ALL DISTRICTS FROM AUGUST 2008 THROUGH DECEMBER 2008.

CLERK LUCZAK ALSO REPORTED THAT CITY CLERK, CYNTHIA FOURNIER AND PINCONNING TOWNSHIP CLERK, MARY KUSTERER, HAD PASSED AWAY DURING THE MONTH OF DECEMBER 2008.

**MOTION 2:** WITH NO OTHER BUSINESS TO ATTEND TO, JUDGE TIGHE CALLED FOR AN ADJOURNMENT OF THIS SESSION AT 8:45 A.M. AS SUPPORTED BY CLERK LUCZAK AND PASSED BY VOTE OF 3 YEAS, 0 NAYS.

RESPECTFULLY SUBMITTED, CYNTHIA LUCZAK, CLERK

BAY COUNTY ELECTION COMMISSION  
2009 RESOLUTION

WHEREAS, THE STATE OF MICHIGAN HAS ESTABLISHED FOUR (4) STANDARD ELECTION DATES PER YEAR UNDER THE ELECTION CONSOLIDATION ACT PUBLIC ACT 298-306 OF 2003 WHICH SHALL INCLUDE THE FOLLOWING DATES DURING THE YEAR 2009:

FEBRUARY 24, 2009	MAY 5, 2009
AUGUST 4, 2009	NOVEMBER 3, 2009

WHEREAS, THE COUNTY CLERK AS "COORDINATOR" OF THE BAY COUNTY ELECTION PROCESS SHALL TAKE ANY AND ALL NECESSARY STEPS TO COMPLY WITH THE ELECTION CONSOLIDATION PLANS AND PERFORM THE DUTIES ASSOCIATED WITH THE MAY 5, 2009 REGULAR BALLOT INCLUDING ELECTION OF SCHOOL BOARD MEMBERS TO THEIR RESPECTIVE SCHOOL DISTRICTS.

AS NEGOTIATED WITH THE COUNTY; CITY; TOWNSHIP AND PINCONNING AREA SCHOOL DISTRICT, THE SCHOOL BOARD MEMBER CANDIDATES WILL APPEAR ON A BALLOT ON EVEN YEAR NOVEMBER GENERAL ELECTIONS WITH ROTATING SIX (6) YEAR TERMS. THIS CHANGE IS MADE PURSUANT TO STATE LAW FOLLOWING THE HOLDING OF A PUBLIC HEARING AND RESOLUTION OF THE PINCONNING AREA SCHOOL BOARD. THE PROPER DOCUMENTATION HAD BEEN SENT TO THE STATE BUREAU OF ELECTIONS PRIOR TO THE DECEMBER 31, 2008 DEADLINE.

IN ADDITION, FOLLOWING THE MAY 5, 2009 ELECTION, THE CLERK SHALL CONSULT WITH THE RESPECTIVE SCHOOL DISTRICTS AND PROVIDE AN UPDATE OF EXPENSES RELATED TO THE MAY 5, 2009 ELECTION AND OFFER INFORMATION AND FUTURE OPTIONS.

WHEREAS, THE COUNTY CLERK HAS A STATUTORY DUTY TO PERFORM ALL ELECTION RELATED FUNCTIONS UNDER THE CONSTITUTION OF THE STATE OF MICHIGAN, BE IT RESOLVED THAT THE BAY COUNTY CLERK, CYNTHIA A. LUCZAK, OR HER DESIGNEE, SHALL BE GRANTED AUTHORITY BY THIS COMMISSION TO PREPARE AND PROVIDE THE OFFICIAL BALLOTS FOR ALL REGULAR, PRIMARY, SPECIAL AND GENERAL ELECTIONS.

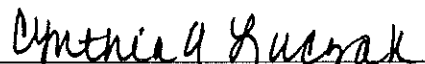
THIS RESOLUTION TO INCLUDE PAYMENT OF ALL EXPENSES  
RELATED TO CONDUCTING ELECTIONS FOR CALENDAR YEAR 2009.

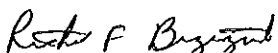
FURTHER, THESE COSTS SHALL INCLUDE BUT NOT BE LIMITED TO,  
THE ORDERING OF BALLOTS; SUPPLIES; PUBLISHING OF NOTICES;  
PROGRAMMING FUNCTIONS; PRECINCT WORKER EXPENSES; BOARD  
OF CANVASSER FEES; ADDITIONAL ELECTION STAFF; AUTOMARK  
RELATED FEES; OR ANY OTHER COSTS AFFILIATED WITH CONDUCTING  
PERFORMING STATUTORY FUNCTIONS UNDER THE MICHIGAN  
ELECTION LAW.


ALL EXPENDITURES SHALL BE TAKEN FROM THE GENERAL FUND  
FROM THE COUNTY OF BAY AS TO BE ALLOCATED IN THE GENERAL  
APPROPRIATIONS BUDGET ACT RESOLUTION IN ACCORDANCE WITH  
STATE LAW.

FURTHER, BEFORE EACH ELECTION, THE CLERK SHALL CERTIFY THE  
NAMES OF CANDIDATES TO THE ELECTION COMMISSION MEMBERS  
INCLUDING THE COUNTY TREASURER, RICHARD BRZEZINSKI AND  
PROBATE JUDGE KAREN TIGHE. THE CLERK WILL ALSO NOTIFY THE  
PROBATE JUDGE WHEN THE ELECTION FUNCTIONS ARE CONCLUDED  
FOR EACH ELECTION DAY AS LISTED FOR 2009.

THEREFORE, THE 2009 ELECTION COMMISSION RESOLUTION WAS  
SIGNED AND EXECUTED FOLLOWING A SESSION HELD IN ACCORDANCE  
WITH THE OPEN MEETING ACT, DATED JANUARY 16, 2009.

  
Cynthia A. Luczak, County Clerk

  
Richard F. Brzezinski, Treasurer

  
Karen A. Tighe, Probate Judge